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**Baxter Healthcare Corporation
Bradford R.L. Price, Fenwal Division RLP-30
Route 120 and Wilson Road
Round Lake IL 60073**

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MAR 29 2007

OFFICE OF PETITIONS

In re Application of :
VANDLIK et al : DECISION NOTING JOINDER OF
Application No. 10/765,498 : INVENTOR AND REQUEST UNDER
Filed: January 26, 2004 : 37 CFR 1.48(c)
Attorney Docket No. F-5489 CIP 2 CON :

This is in response to the REQUEST FOR RECONSIDERATION filed on June 12, 2006 along with the addendum filed on June 23, 2006 pertaining to a Petition Pursuant to 37 CFR 1.183, Requesting Waiver of Requirement 37 CFR 1.64, that Original Inventor (Kelly B. Smith) Execute New Oath or Declaration When New Inventors are Added with Assignee's Consent mailed December 9, 2006. This is also in response to the Request for Correction of Inventorship filed on August 4, 2005.

The petition under 37 CFR 1.183 requesting waiver of 37 CFR 1.64 is **DISMISSED AS MOOT**.

The papers filed on June 23, 2006 included a Declaration signed by a previously non-signing inventor, KELLY B. SMITH, and therefore is in compliance with 37 CFR 1.63. In view of the joinder of the inventor, further consideration under § 1.183 Requesting Waiver of 37 CFR 1.64 is not necessary.

The Request for Correction of Inventorship under 37 CFR 1.48(c) is **GRANTED**.

In view of the papers filed on August 4, 2005, it has been found that this nonprovisional application, as filed, through error and without deceptive intent, improperly set forth the inventorship, and accordingly, this application has been corrected in compliance with 37 CFR 1.48(c). The inventorship of this application has been changed by the addition of inventors TOM WESTBERG and ROHIT VISHNOI.

This application is being referred to Technology Center Art Unit 3761 for appropriate action.

Telephone inquiries should be directed to Amelia Au at (571) 272-7414.

Frances Hicks
Petitions Examiner
Office of Petitions

Attachment: Corrected Filing Receipt

**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNITED STATES DEPARTMENT OF COMMERCE
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APPL NO.	FILING OR 371(c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLMS	IND CLMS
10/765,498	01/26/2004	3761	3060	F-5489 CIP 2 CON	8	1

Baxter Healthcare Corporation
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Round Lake, IL 60073

CONFIRMATION NO. 2510**CORRECTED FILING RECEIPT**

OC000000023157443

Date Mailed: 03/29/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

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Michael J. Kast, Evanston, IL;
Kelly B. Smith, Gurnee, IL;
Tom Westberg, Gurnee, IL;
Rohit Vishnoi, Deerfield, IL;

Assignment For Published Patent Application

Baxter International Inc.

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Domestic Priority data as claimed by applicant

This application is a CON of 09/976,833 10/13/2001 PAT 6,709,412
which is a CIP of 09/389,504 09/03/1999 PAT 7,041,076

Foreign Applications

If Required, Foreign Filing License Granted: 05/01/2004

The country code and number of your priority application, to be used for filing abroad under the Paris

Convention, is **US10/765,498**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

Title

Blood processing systems and methods that employ an in-line, flexible leukofilter

Preliminary Class

604

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

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For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

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